

REMARKS

This Response addresses the office action mailed on October 27, 2003. A diligent effort has been made to respond to the rejections contained therein, and reconsideration is respectfully requested in view of this Amendment.

Please file the enclosed Revocation and Substitute Power of Attorney. Please note the change in attorney docket for this matter to 061143605010. Please update all records at the United States Patent & Trademark Office to reflect this change, and use this new attorney docket number in all subsequent communication related to this case. This document was previously submitted but does not seem to be entered as this application does not appear associated with the customer number associated with the undersigned attorney of record.

Claims 1-13 and 26-37 are pending in the present application. Claim 7 has been amended. Claims 1-13 have not been amended. Claims 14-25 have been withdrawn from the present application without prejudice or disclaimer as a result of the Examiner's Restriction Requirement. New claims 26-37 have been added to the application. Support for the amendments and new claims can be found throughout the specification including, without limitation, pp. 3-4, 5-7, and 9-12. The Assignee respectfully requests further examination of the application in view of the following.

Claims 1-2 and 7-8 presently stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,487,195 issued to Choung *et al.* (hereinafter "Choung"). Claims 1-5, 7-10, and 12-13 presently stand rejected as anticipated under 35 U.S.C. § 102(e) by U.S. Patent No. 5,944,791 issued to Scherbier *et. al.* (hereinafter "Scherbier"). Claims 6 and 11 presently stand rejected as unpatentable under 35 U.S.C. 103(a) over Scherbier, in view of U.S. Patent

No. 6,604,143 issued to Nager *et. al.* (hereinafter "Nager"). The Assignee respectfully traverses

these rejections and requests allowance of all pending claims.

**A. Choung Fails to Anticipate Claims 1-2 and 7-8**

In rejecting claims 1-2 the Examiner has asserted that Choung teaches "generating multiple categories of information related to the object accessed via a first user's browser" and attributes such teachings to Choung at 7: 12-15. (Office Action, ¶4.) This portion of Choung states:

In step 608, user 1 uses web browser 204 in terminal 102.1 to navigate a new web page from web site 116, via data network 106, or from any of the conventional websites (112.1, 112.2. . . . , or 112.N).

For Choung to anticipate the claims in the present application, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); MPEP §2131. The Assignee asserts that neither this portion, nor other portions of Choung, teach or suggest "generating multiple categories of information" as required by claims 1 and 7. Claim 1 of the application discloses an invention that "generates" new information outside of a user's browsing session.

Page 4 of the present application provides in relevant part:

Personalized User Browser Experience: While a user surfs the Web, the browser companion communicates with various back-end servers in order to provide information and services related to the user's location . . . . The browser companion of this invention accompanies users wherever they go on the Web, providing the user with content, community, customization and commerce. . . . Content: This includes information sources on or associated with the Internet that are related to a user's location. The back-end architecture that supports the browser companion (1) determines the users present location based on updates from the browser companion, (2) aggregates sources of related information into one

or more databases, and (3) draws from the database(s) to suggest to the user information related to the user's present location.

Claim 1 requires generating multiple related information categories. The invention aggregates information based on the user's browsing session and then "generates" additional information to enhance the user's browsing session. The present invention is an improvement over the prior art because it can, for example, "automatically display . . . information and people relevant to a particular user's present activity-- e.g., links relevant to the sites visited by the user or contact information concerning other users' knowledgeable of or interested in the site visited or action undertaken by a first user." Application, pp. 4-5. This feature, in part, addresses the inefficiency of the prior art where users would have to use a time-consuming search engine to find relevant information and then take the time to sift through the returned information. The Assignee has amended claim 7 to incorporate the limitation of a server that "generates multiple data categories related to the received address." The Assignee does not believe that this amendment has narrowed the scope of these claims over the originally presented claim 7. Rather, the Assignee asserts that the amendment has simply introduced expressly a server that "generates multiple data categories" which was previously present as inherent in the unamended method.

Choung, in contrast, does not incorporate this improvement of "generating" any information outside of the user's browsing session. The Choung system does not address the inefficiency of the prior art because it appears not suggest relevant information to a user based on the user's present location. Choung describes a collaborative database that includes information only from the user's browsing session.

In step 608, user 1 uses web browser 204 in terminal 102.1 to navigate a new web page from web site 116, via data network 106,

or from any of the conventional web sites . . . In step 610 web browser 204 informs browser tracker 208 the location information for the new web page. . . . In step 612, browser tracker 208 sends the new web page location information to collaborative controller program . . . . Collaborative controller program 224 stores the new web page location information into collaborative database 228. 7: 12-25.

But this database does not appear to originate information outside of the original browsing session or "generate multiple categories of information." The collaborative browser displays only the same web page accessed during the browsing session.

In step 614, via data network 106, collaborative controller program 224 relays the new web page location information to all browser synchronizer(s) in the following terminal(s) according to the session member list stored in collaborative database 228. 7: 26-30.

For at least the reasons provided above, the Assignee asserts that claims 1 and 7 are allowable over Choung because Choung fails to teach or suggest a method for or a browser that "generates multiple categories of information." Additionally, since claims 2 and 8 depend respectively from claims 1 and 7 and therefore, include all limitations of the claims from which they depend, the Assignee further asserts that claims 2 and 7 should also be allowable for at least the reasons provided above.

New claims 26-37 are likewise allowable over Choung for at least the same reasons discussed with respect to claim 1. New independent claim 26 also includes a limitation requiring generation of "multiple categories of information." Consequently, claim 26, and claims 27-31 that depend from it, should be allowable over Choung. Similarly, new claims 32-37 depend directly or indirectly from claim 1, and therefore, are also allowable over Choung.

**B. Scherbier Fails to Anticipate Claims 1-5, 7-10, and 12-13**

In rejecting claim 1, the Examiner asserts that Scherbier teaches a method and system for collaborative web browsing that "generates multiple categories of information related to the object accessed via a first user's browser" at 5:36-54 (Office Action, ¶8). This portion of Scherbier states:

Commencing at block 70, the pilot computer 18 transmits to the control module 16 a request for a predetermined Web page. It is to be understood that the request can be in the form of an instruction to execute the flight plan developed above, which plan, it will be recalled, includes the URLs of the Web pages to be accessed. In response, at block 72 the control module 16 retrieves the requested Web page.

Scherbier describes a system where the pilot computer controls the Web browser of the passenger computer. The pilot computer predetermines a flight plan, or Web pages, that the passenger computer is to view.

With this pilot identification code, the flight creation applet permits the pilot computer 18, at block 42, to transmit a flight request to the control module 16 using HTTP protocol. This flight request lists one or more Web pages to which the user of the pilot computer 18 wishes to guide the passenger computer(s) 24. Also, the flight request can include other data, such as identifications of the intended passenger computers. 4: 52-60.

In contrast, claim 1 of the present application describes an invention that requires generation of "multiple categories of information related to the object accessed via a first user's browser." The Assignee has amended claim 7 to expressly include a similar limitation of a server that "generates multiple data categories related to the received address." The Scherbier system does not appear to have the capability to display information relevant to the passenger computer's "present activity" because the pilot computer predetermines the Web pages to be viewed before the passenger computer begins browsing and then guides that browsing. For at least the reasons cited above, Applicants assert that claims 1 and 7 are allowable over Scherbier

because Scherbier does not teach "generating multiple categories of information related to the object accessed via a first user's browser." Additionally, since claims 2-5 and 8 depend from claims 1 and 7 respectively, and therefore, include all limitations of the claims from which they depend, the Assignee further asserts that claims 2-5 and 8 are similarly allowable. New claims 26-37 are likewise allowable over Scherbier for at least the same reasons as discussed with respect to claim 1.

In rejecting claim 10, the Examiner further asserts that Scherbier teaches a system for collaborative browsing "wherein the server upon receipt of the tracking information generates a list of related information for delivery to the first or second browser for display to the user" at 2: 57-3:18. That portion of Scherbier states:

In another aspect, a computer-implemented method is disclosed for allowing a pilot computer to cause a passenger computer, which includes a passenger Web browser, to display a predetermined Web page. The method includes transmitting, at the pilot computer, the uniform resource locator URL of the predetermined page to a control site. The control site is a member of the Web, such that the control site can retrieve the predetermined page. Then, at the passenger computer, a code is transmitted to the control site and, if the code is valid, an active control is received from the control site. Next, the active control cooperates with the passenger Web browser to download the predetermined Web page from the control site.

In still another aspect, a system is disclosed for allowing a pilot computer to cause a passenger computer including a passenger Web browser to display a predetermined Web page. The system includes, at the pilot computer, logic means for transmitting the uniform resource locator (URL) of the predetermined page to a control site, wherein the control site is a member of the Web. At the control site, logic means are provided for retrieving the predetermined page, and at the passenger computer logic means are provided for transmitting a code to the control site. Moreover, at the control site logic means determine whether the code is valid, and if so, logic means transmit in response thereto an active control to the passenger computer. Additionally, logic means cause the

active control to cooperate with the passenger Web browser to download the predetermined Web page from the control site.

A system according to Scherbier does not "generate" a list of related information. The Scherbier system does not appear to deliver any information beyond the Web pages accessed by the pilot computer during its browsing session.

If a page change detect applet detects a selection of an alternate Web page on the part of the pilot computer 18, the applet communicates the page change to the control module 16, which in turn instructs the passenger applet 28 to cause the passenger browser 26 to display the alternate Web page. 6: 15-20.

But an invention according to claim 10 uses tracking information to "generate" new information outside of the Web pages visited by the user's browser, such as links to related sites, access to people viewing those sites, and relevant products.

The browser companion offers an intelligent, online navigation application, bringing together content, community, customization and commerce organized around the very sites users are browsing. This invention adds these multiple elements to Web surfing in each location the users visit; information provided during any particular visit includes information on related sites, access to people viewing these sites, and products that are relevant to the site that the user is visiting. Application, p. 4

For at least this additional reason the Assignee asserts that claim 10 is allowable over Scherbier. Scherbier does not teach a method "wherein the server, upon receipt of the tracking information, generates a list of related information for delivery to the first or second browser for display to the user." Since claim 12 depends from claim 10, and, therefore includes all limitations of the claim from which it depends, the Assignee asserts that claim 12 is allowable. Since Scherbier also fails to disclose a "second browser . . . adapted to allow users to post

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information to a Web page being viewed by a particular user" as required by claim 12, the

Assignee further asserts that claim 12 is allowable over Scherbier for this additional reason.

In rejecting claim 13, the Examiner asserts that Scherbier teaches "showing multiple categories of information related to an object accessed by a user of the browser companion" and "a first applet for interfacing with a first server in order to retrieve the categories of related information." Scherbier explains:

As recognized by the present invention, however, it is possible to provide a system and method for allowing a first computer user, referred to herein as a "pilot", to cause the browsers of other computer users, referred to herein as "passengers", to display Web pages as desired by the pilot, without requiring interaction from passengers and without requiring any modifications to the passengers software. 1:52-58.

Stated differently, a machine component establishes a computer program product for performing method steps for enabling a first computer to cause a second computer to display a preselected page from a computer network by transmitting, from the first computer to a control site in the computer network, a request for the predetermined page. 2:19-24.

In another aspect, a computer-implemented method is disclosed for allowing a pilot computer to cause a passenger computer, which includes a passenger Web browser, to display a predetermined Web page. The method includes transmitting, at the pilot computer, the uniform resource locator (URL) of the predetermined page to a control site. 2:57-63.

Scherbier discloses showing one type of information, a preselected Web page, to a passenger computer. But it does not disclose showing or retrieving "multiple categories" of information, or more than one type of information. In contrast, however, claim 13 requires showing or retrieving, multiple categories of information, such as notes, products, and access to people viewing relevant websites, not just Web pages. The application provides in relevant parts:

This invention adds these multiple elements to Web surfing in each location the users visit; information provided during any particular visit includes information on related sites, access to people viewing these sites, and products that are relevant to the site that the user is visiting. Application, p.4

To provide a system and method that, upon receipt of information concerning site, location or object on a computer network being accessed by a user, returns a list of related information, including related discussion groups, notes, co-browsing sessions, or links to other sites, locations or objects. Application, p. 9

Scherpbier does not anticipate claim 13 of the application because it fails to show or retrieve "multiple categories of information related to an object," such as the products, discussion groups, and access to people viewing relevant sites described in the application. For at least the reasons cited above the Assignee asserts that claim 13 is allowable over Scherbier.

### **C. Scherbier in View of Nager Fails to Obviate Claims 6 and 11**

Claims 6 and 11 depend respectively from claims 1 and 10. Claims 6 and 11 are at least allowable for the reasons stated above with respect to Scherbier. Claims 6 and 11, through dependency, include the similar limitations of "generation of multiple categories of information" and a server that "upon receipt of tracking information, generates a list of related information." These limitations are not present in Scherbier. As Nager also does not disclose these limitations either, claims 6 and 11 are also allowable over Scherbier in view of Nager. For similar reasons, new claims 26-37 should be allowable over Scherbier in view of Nager.

In view of these remarks, Applicant respectfully request withdrawal of the Examiner's rejection, allowance of claims 1-19 and issuance of a Notice of Allowance to that effect. The Examiner is invited to contact the undersigned if such contact would assist in the further prosecution of this case.

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No fee is believed due with respect to this response; a \$420 fee has been submitted concurrently herewith along with Applicants request for an extension of time. The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment, associated with this response to Jones Day's Deposit Account No. 502724, ref: 061143-605010.

Respectfully submitted,



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